

Roger A. Cooper
Ari D. MacKinnon
Thomas S. Kessler
CLEARY GOTTLIEB STEEN & HAMILTON LLP
One Liberty Plaza
New York, New York 10006
Telephone: 212-225-2000
Facsimile: 212-225-3999
Attorneys for BNP Paribas Arbitrage SNC

Hearing Date: Dec. 20, 2023
Opposition Date: Sept. 22, 2023
Reply Date: Oct. 23, 2023

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)
SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

BNP PARIBAS ARBITRAGE SNC,

Defendant.

Adv. Pro. No. 11-02796 (CGM)

ORAL ARGUMENT REQUESTED

**NOTICE OF HEARING ON BNP PARIBAS ARBITRAGE SNC'S
MOTION TO DISMISS UNDER RULES 12(B)(6) AND 12(B)(2)**

PLEASE TAKE NOTICE that on July 24, 2023, BNP Paribas Arbitrage SNC
("BNPP Arbitrage") filed a Motion to Dismiss (the "Motion") for failure to state a claim and lack
of personal jurisdiction under Rules 12(b)(6) and 12(b)(2) of the Federal Rules of Civil

Procedure, made applicable here by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, in the above captioned proceeding.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Motion will be held remotely via Zoom¹ on Wednesday December 20, 2023 at 10:00 a.m. (prevailing Eastern time).

PLEASE TAKE FURTHER NOTICE that pursuant to the agreement of the parties, the Trustee's response will be due on September 22, 2023, and BNPP Arbitrage's reply will be due on October 23, 2023.

Dated: July 24, 2023
New York, New York

Respectfully submitted,

/s/ Thomas S. Kessler

Roger A. Cooper
racoper@cgsh.com
Ari D. MacKinnon
amackinnon@cgsh.com
Thomas S. Kessler
tkessler@cgsh.com
CLEARY GOTTlieb STEEN & HAMILTON LLP
One Liberty Plaza
New York, New York 10006
T: 212-225-2000
F: 212-225-3999

Attorneys for BNP Paribas Arbitrage SNC

¹ Judge Cecelia G. Morris, <https://www.nysb.uscourts.gov/content/chief-judge-cecelia-g-morris> (last visited July 18, 2023) ("Judge Morris is holding all hearings via Zoom.")